

1 The Honorable Robert S. Lasnik  
2  
3  
4  
5  
6

7

8 **UNITED STATES DISTRICT COURT**  
9 **WESTERN DISTRICT OF WASHINGTON**

10 SUSAN SOTO PALMER, et. al.,

11 *Plaintiffs,*

12 v.

13 STEVEN HOBBS, et. al.,

14 *Defendants,*  
15 and

16 JOSE TREVINO, ISMAEL CAMPOS, and  
17 ALEX YBARRA,

18 *Intervenor-Defendants.*

19 Case No.: 3:22-cv-05035-RSL

20 Judge: Robert S. Lasnik

21 **PLAINTIFFS' RESPONSE TO  
22 INTERVENOR-DEFENDANTS'  
23 MOTION TO EXTEND TIME OF,  
24 AND ESTABLISH PROCEDURES  
25 FOR, REMEDIAL EVIDENCIARY  
26 HEARING**

27 Plaintiffs present this brief response to explain their opposition to Intervenor-Defendants'  
28 Motion to Extend Time of the Remedial Evidentiary Hearing and to present their full positions on  
29 the admissibility of Dr. Trende's supplemental expert report and the division of time between the  
30 parties.

31 *First*, Plaintiffs oppose Intervenor-Defendants' motion to extend the time of the evidentiary  
32 hearing. This Court made clear that the hearing would focus "in particular" on "Remedial Map  
33 3A." Dkt. # 266 at 1. The factual disputes are thus limited, and any testimony should be similarly  
34

1 limited. Moreover, the parties have had ample opportunities to brief their positions and present  
 2 evidence throughout the remedial process, including opportunities to present expert reports both  
 3 before and after the Court indicated its focus on Map 3A.

4 *Second*, Intervenor-Defendants failed to include Plaintiffs' full position regarding the  
 5 stipulated admission of the supplemental remedial expert report of Dr. Sean Trede, Dkt. # 273.  
 6 Plaintiffs note that, while they stipulate the admissibility of Dr. Trede's supplemental report, the  
 7 new map contained therein along with the related data and analysis are untimely and should be  
 8 excluded.

9 *Finally*, Plaintiffs note that Intervenors' motion assumes the hearing is currently set for  
 10 four hours, *see* Dkt. # 279 at 3, an assumption not shared by Plaintiffs. Intervenors also assume  
 11 that there will be an even share of time for each expert. *Id.* at 2 ("Assuming an equal division  
 12 between the experts, the current afternoon time allocation would allow for each expert to be on the  
 13 stand for a total of 80 minutes."). Plaintiffs reiterate their position that the time allocated for the  
 14 hearing be evenly divided between Intervenors and Plaintiffs (with the State's time subtracted from  
 15 Plaintiffs' per the Court's indication at the hearing), with each side to determine the manner in  
 16 which they want to spend their time.

17 Dated: March 4, 2024

18 Respectfully submitted,

19 By: /s/ Simone Leeper

20  
 21  
 22 Edward Morfin  
 23 WSBA No. 47831  
 24 MORFIN LAW FIRM, PLLC  
 25 2602 N. Proctor Street, Suite 205  
 Tacoma, WA 98407  
 Telephone: 509-380-9999

26 Mark P. Gaber\*

Chad W. Dunn\*  
 Sonni Waknin\*  
 UCLA VOTING RIGHTS PROJECT  
 3250 Public Affairs Building  
 Los Angeles, CA 90095  
 Telephone: 310-400-6019  
 Chad@uclavrp.org  
 Sonni@uclavrp.org

Simone Sleeper\*  
Aseem Mulji\*  
Benjamin Phillips\*  
CAMPAIGN LEGAL CENTER  
1101 14th St. NW, Ste. 400  
Washington, DC 20005  
mgaber@campaignlegal.org  
sleeper@campaignlegal.org  
amulji@campaignlegal.org  
bphillips@campaignlegal.org

Annabelle E. Harless\*  
CAMPAIGN LEGAL CENTER  
55 W. Monroe St., Ste. 1925  
Chicago, IL 60603  
[aharless@campaignlegal.org](mailto:aharless@campaignlegal.org)

\*Admitted pro hac vice

Thomas A. Saenz\*  
Ernest Herrera\*  
Leticia M. Saucedo\*  
Erika Cervantes\*  
MEXICAN AMERICAN LEGAL  
DEFENSE AND EDUCATIONAL FUND  
643 S. Spring St., 11th Fl.  
Los Angeles, CA 90014  
Telephone: (213) 629-2512  
tsaenz@maldef.org  
eherrera@maldef.org  
lsaucedo@maldef.org  
ecervantes@maldef.org

*Counsel for Plaintiffs*

## **CERTIFICATE OF SERVICE**

I certify that all counsel of record were served a copy of the foregoing this 4th day of March 2024, via the Court's CM/ECF system.

/s/ Simone Leeper  
Simone Leeper  
*Counsel for Plaintiffs*